

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

John K. Herbster,

Plaintiff,

v.

Case No. 13-11932

Commissioner of Social Security,

Sean F. Cox

United States District Court Judge

Defendant.

ORDER ADOPTING
DECEMBER 10, 2014 REPORT & RECOMMENDATION

Plaintiff filed this action challenging the Commissioner's unfavorable decision disallowing benefits. The parties later submitted a stipulation to remand this matter for further administrative proceedings, which was entered by this Court. Judgment has been entered in Plaintiff's favor.

On December 10, 2014, Magistrate Judge Michael Hluchaniuk issued a Report and Recommendation ("R&R") wherein he recommends that the Court: 1) grant Plaintiff's motion for attorney fees under 42 U.S.C. § 406(b)(1); and 2) issue the proposed order that Plaintiff submitted with the motion (Docket Entry No. 24-1).

Pursuant to FED. R. CIV. P. 72(b), a party objecting to the recommended disposition of a matter by a Magistrate Judge must file objections to the R&R within fourteen (14) days after being served with a copy of the R&R. "The district judge to whom the case is assigned shall make a *de novo* determination upon the record, or after additional evidence, of any portion of the magistrate judge's disposition to which specific written objection has been made." *Id.*

No party has filed objections to the R&R and the time permitted for filing objections to the R&R has passed.

The Court hereby ADOPTS the December 10, 2014 R&R. IT IS ORDERED that Plaintiff's motion for attorney fees is GRANTED and this Court shall enter the order submitted by Plaintiff.

IT IS SO ORDERED.

S/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: January 6, 2015

I hereby certify that a copy of the foregoing document was served upon counsel of record on January 6, 2015, by electronic and/or ordinary mail.

S/Jennifer McCoy

Case Manager